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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,604	10/23/2001	Kevin J. Dowling	PH010702US1 (70087)	3464
78823	7590	11/19/2008		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
3 BURLINGTON WOODS DRIVE				
BURLINGTON, MA 01803				
EXAMINER				
A. MINIH D				
ART UNIT		PAPER NUMBER		
2821				
NOTIFICATION DATE		DELIVERY MODE		
11/19/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10045604	10/23/01	DOWLING ET AL.	PH010702US1 (70087)

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EXAMINER

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2821

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Commissioner for Patents

This is a response to the Applicant's submitted on 02/28/08. Claims 71-72, 74-79, 81-92, 95-125, 166-173, 323 and 325-341 are currently presented in the instant application.

1. Applicant has suggested an interference pursuant to 37 CFR 41.202(a) in a communication filed 10/16/06.

With regards to 37 CFR 41.202(a)(2), applicant failed to (1) identify all claims the applicant believes interference. Claims 335-341 are identified as interfering with claims 1-7 of US Patent 7,113,196. However, claim 323 appear to conflict with the interfering claims. Applicant should review each claim to determine whether the claims should be part of the interference.

With regards to 37 CFR 41.202(a)(2), applicant failed to (2) propose one or more counts. Applicant has two independent claims 335 and 337, one of which is directed to "a method of extending the feel" and the other to "a method for illuminating." A count is defined as just a description of the interfering subject matter. Applicant should review whether the "associating" and "determining" steps of claim 335 are described in the count, e.g. claim 337.

With regards to 37 CFR 41.202(a)(2), applicant failed to (3) show how the claims correspond to one or more counts. Applicant merely states that claims 335, 336 and 338-341 are obvious over claim 337 of the application. Applicant should provide a claim chart comparing and showing how the claims are obvious for each count. See 37 CFR 41.202(a)(2) and MPEP 2304.02(b).

Claims 323-341 have been added or amended in a communication filed on 1/19/06 to provoke an interference. Applicant failed to provide a claim chart showing the written description for each claim 323-334 in the applicant's specification. See 37 CFR 41.202(a)(5) and MPEP § 2304.02(d).

In order to facilitate the procedure for forwarding the application to the BPAI for considering and declaring an interference, it is suggested that a reply to this office action contains all the information required under 37 CFR 4(2)(a)(1) through (a)(6).

Applicant is given ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this communication to correct the deficiency(ies). THE PROVISIONS OF 37 CFR 1.136 DO NOT APPLY TO THE TIME SPECIFIED IN THIS ACTION.

/MINH A/

EXAMINER, ART UNIT 2821

DATE 11/10/08

/Douglas W Owens/
Supervisory Patent Examiner, Art Unit 2821

PTO-90C (Rev.04-03)